

Message Text

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44

ACTION EB-07

INFO OCT-01 EA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 PM-03 H-02 L-02 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 /060 W

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R 210845Z MAY 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 0297

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJ: CIVAIR - DISORDERLY MARKET SITUATION IN JAPAN

REF: A. TOKYO 6393; B. STATE 109664

1. INTERNATIONAL CARRIERS SERVING JAPAN MET ON MAY 20, UNDER AUSPICES OF JAPAN NATIONAL COMPLIANCE ACTION COMMITTEE OF IATA, TO DISCUSS DISORDERLY MARKET SITUATION RESULTING FROM ILLEGAL FARE DISCOUNTING AND REBATING PRACTICES. MEETING WAS ADDRESSED BY JCAB DEPUTY DIRECTOR GENERAL YAMAMOTO, WHO WARNED THAT ACTION WOULD BE TAKEN AGAINST CARRIERS UNLESS MALPRACTICES WERE HALTED IMMEDIATELY.

2. CARRIERS REPORTEDLY AGREED (A) TO COMPLY WITH FARES FILED WITH JCAB, AND (B) TO AVOID DEALING WITH TRAVEL AGENCIES NOT REGISTERED WITH GOVERNMENT. THEY ALSO ADOPTED A RESOLUTION ON QTE AGENCY REMUNERATION FOR INTERNATIONAL PASSENGER AIR TRANSPORT SOLD IN JAPAN UNQTE. RESOLUTION SET COMMISSION RATE AT 7.5 PERCENT, WITH 2.5 PERCENT PREMIUM FOR SALE OF INCLUSIVE TOURS. (COPY AIR-POUCHED TO DEPARTMENT FOR ATTENTION EB/TT/OA.) PAN AM REP (MCDONALD) - ALONE AMONG CARRIER REPS ATTENDING - OPPOSED RESOLUTION.

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3. EMBASSY COMMENT. ACCORDING TO PAN AM REP, RESOLUTION ON UNIFORM COMMISSION RATE WAS INTRODUCED IN MEETING AT JCAB'S BEHEST. IN INFORMAL DISCUSSION WITH EMBOFF, TOYA

(ACTING DIRECTOR, INTERNATIONAL AFFAIRS DIVISION, JCAB)
CONFIRMED THAT IT IS JCAB'S INTENTION TO ENFORCE A UNIFORM AGENCY COMMISSION RATE AS PART OF ITS OVERALL POLICY OF RESTORING ORDER TO AIR TRANSPORT MARKET IN JAPAN. TOYA SAID JCAB WOULD PREFER THAT CARRIERS ENFORCE UNIFORM RATE VOLUNTARILY, BUT IF THIS NOT POSSIBLE JCAB IS PREPARED TO MAKE COMPLIANCE MANDATORY. HE WAS NOT SPECIFIC, HOWEVER, AS TO JCAB'S LEGAL AUTHORITY IN THIS RESPECT. (PRESUMABLY JCAB HAS IN MIND INVOKING PROVISION OF CIVIL AERONAUTICS LAW WHICH PREQUIRES TRANSPORT MINISTER'S APPROVAL OF AIR FARES, RATES AND CHARGES.) WE HAVE NOT DISCUSSED SUBSTANCE OF REF (B) WITH JAPANESE AUTHORITIES BUT BELIEVE THAT IN DUE COURSE IT WILL BE USEFUL TO DO SO, PARTICULARLY WITH REGARD TO USG POSITION THAT COMMISSIONS ARE NOT PART OF AIR TARIFFS AND THEREFORE NOT COVERED BY RATE PROVISIONS OF BILATERAL AIR TRANSPORT AGREEMENTS.
HODGSON

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Message Attributes

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